

FROM: Mandela Brock
366 West 127th Street, Apt 5F
New York, NY 10027 718-690-0204
mandela-brock@mymail.berkeleycollege.edu

December 28, 2020

MEMO ENDORSED

TO: My Honorable VALERIE CAPRONI
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street New York,
New York 10007

CC: My Honorable Ona T. Wang
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

BCC: Melissa D. Hill, Partner 101 Park Avenue
New York, NY 10178-0060
+1.212.309.6318
Melissa.hill@morganlewis.com

Re: Mandela T. Brock v. Amazon Prime, et al. Case No. 1:20-cv-9055

Dear My Honorable,

PLEASE TAKE NOTICE that upon careful reflection, research, and consideration the Complainant, Mandela Brock has discovered that the defendant's '*Notice of Removal*' to federal court was both timely and prudent, therefore he asks that the court consider his '*Motion to Remand*' as '*moot*' and instead decide the '*federal questions*' put forward in plaintiff's '*Amended Complaint*.'

Complainant contends that while the defendant's '*Notice of Removal*' for 'diversity of citizenship' was a different tack and or defense which kind of caught him off guard. After careful reflection Complainant remembers reading about corporations incorporating in Delaware, because of

the lower corporate taxes, and then headquartering in another state because that is where they really want to be at but the higher corporate taxes prevent that. I always thought that this was fairly odd and bordered on tax evasion if not being actual tax evasion. Complainant contends that being that it has all the appearances of tax evasion, that is what it is, thereby defendants started out their business with “*Unclean Hands*.”

Furthermore, in defendant’s ‘*Notice of Removal*’ they did say in paragraph 15, “*Accordingly, Defendant Prime Now LLC is a citizen of Delaware and Washington and is not a citizen of the State of New York*” and Complainant vehemently contends that that is a legal impossibility therefore exemplify *prima facie* evidence of their ‘*intentional fraudulent misrepresentations*’ for the United States Supreme Court said, “*fraud is a broad term, which includes false representations, dishonesty and deceit.*” **United States v. Grainger**, 701 F.2d 308, 311 (4th Cir. 1983), cert. denied, 461 U.S. 947 (1983). For is it not a *false representation* to claim citizenship in two separate states? Particularly when in one of the states the corporation is listed as a ‘*foreign corporation*’ because how could you be both a ‘*citizen*’ and ‘*foreign*’ at the same time?

Additionally, the actions complained of, occurred in the Southern District of New York within the jurisdictional boundaries of New York State and while defendants legal maneuvering created a burdensome obstacle to Complainant, the Complainant, Mandela Brock, now appreciates defendant’s wisdom in removing matters over to federal court. For there are some serious ‘*federal questions*’ that should and could only be answered in The United States District Court for the Southern i.e., ‘Sovereign’ District of New York and ‘*diversity of citizenship*’ is not one of them, because defendants cannot truly expect the court to send this action to two separate jurisdictions, that defendants claim citizenship in, to be concurrently adjudicated for that would effectively trample

upon the ‘*states rights*’ of both states, that defendants claim citizenship in, because one ruling may cancel out the other, creating a cascade of *jurisdictional defects*.

In closing, the defendant's attorneys of record stated: “*To that end, we are happy to arrange to accept service of the Amended Complaint on the individual defendants, including the newly-added putative defendants, to facilitate the anticipated motion on behalf of all defendants*” and complainant, Mandela Brock hereby accepts their consent to be served on behalf of ‘all’ defendants.

WHEREFORE, Complainant, Mandela Brock, humbly requests that the court declares his ‘*Motion to Remand*’ as ‘*moot*’ and instead contend with the ‘*federal questions*’ put forward in the ‘Amended Complaint’ in conjunction with the civil and probable criminal violations committed by defendants along with the referrals to both My Honorable Audrey Strauss, United States Attorney for the ‘Sovereign District’ of New York and the New York State Bar Association.

Sincerely,



Mandela T. Brock, *Sui Juris Pro Se*,
In Propria Persona; Without Prejudice, Under Protest,
366 West 127th Street, Apt 5F
New York, NY 10027
mandela-brock@mymail.berkeleycollege.edu
718-690-0204

Application Granted.

Plaintiff's motion to remand is **DENIED** as moot. Defendants' response to the amended complaint is due by February 22, 2021. The Clerk is respectfully directed to close ECF 9.

SO ORDERED.



Ona T. Wang
U.S. Magistrate Judge

1/22/21